

**STUART RABNER**  
**ATTORNEY GENERAL OF NEW JERSEY**  
Division of Law  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101

By: Kevin R. Jespersen  
Deputy Attorney General  
(973) 648-7454

**FILED**

NOVEMBER 2, 2006

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MEDICAL EXAMINERS  
Docket No.

\_\_\_\_\_  
IN THE MATTER OF THE LICENSE  
ISSUED TO:

MOHAMED Z. DAHHAN, M.D.  
License No. 25MA07493700

TO PRACTICE MEDICINE AND  
SURGERY IN THE STATE OF NEW  
JERSEY  
\_\_\_\_\_

:  
:  
: Administrative Action  
:  
: **FINAL CONSENT ORDER**  
:  
:  
:  
:  
:  
:  
:

This matter is being opened to the Board of Medical Examiners (the "Board") jointly by Kevin R. Jespersen, Deputy Attorney General, appearing for Stuart Rabner, Attorney General of New Jersey, and Susan Fruchtman, Esq., appearing for DeCotiis, Fitzpatrick, Cole & Wisler, LLP, attorneys for Mohamed Z. Dahhan, M.D. On March 7, 2005, a Grand Jury of the State of New Jersey, for the County of Passaic, issued Indictment No. 05-03-0285I, State

**CERTIFIED TRUE COPY**

v. Dahhan (the "Indictment"), against Dr. Dahhan. The Indictment alleged, among other things, that on February 18, 2004, Mohamed Z. Dahhan, M.D. committed an act of criminal sexual contact upon the patient S. E.; that on March 3, 2004, Mohamed Z. Dahhan, M.D. committed an act of criminal sexual contact upon the patient S. E.; that on March 3, 2004, Mohamed Z. Dahhan, M.D. committed an act of sexual assault upon the patient S. E.; and that on April 24, 2004, Mohamed Z. Dahhan, M.D. committed an act of criminal sexual contact upon the patient M. D. On December 19, 2005, Mohamed Z. Dahhan, M.D. entered a guilty plea in the Superior Court of New Jersey, Law Division, Criminal Part, Passaic County, the Honorable Ernest M. Caposela presiding, to three counts of fourth degree criminal sexual contact involving the patients S. E. and M. D. The charges to which Dr. Dahhan pleaded guilty constitute violations of the statutes and regulations governing the practice of medicine surgery in the State of New Jersey, and are actionable pursuant to N.J.S.A. 45:1-21(f), among other provisions. The Board entered an Interim Consent Order on July 15, 2004, and Dr. Dahhan consented to the form and entry of the Interim Consent Order. In order to avoid further proceedings in this case, Dr. Dahhan consents and agrees to each and every term of this Final Consent Order. The Board has determined that the within disposition is adequate to protect the public health, safety and welfare. For such reasons and other good cause shown,

IT IS on this 2<sup>nd</sup> day of <sup>November</sup>~~October~~, 2006,  
11/2/06

ORDERED:

1. The Board hereby finds that Mohamed Z. Dahhan, M.D. has engaged in conduct that constitutes multiple violations of N.J.S.A. 45:1-21(c), (d), (e) and (f), and N.J.A.C. 13:35-6.3.

2. The license of Mohamed Z. Dahhan, M.D. to practice medicine in the State of New Jersey is hereby suspended for a period of five years, such period of suspension to be deemed to have commenced as of July 25, 2006. Such suspension shall be active, subject to the provisions of paragraph 3.

3. Mohamed Z. Dahhan, M.D. may apply to have the suspension of his license amended from active to stayed only upon the satisfaction of each of the following terms:

a. Dr. Dahhan shall be ineligible to have his suspension amended from active to stayed prior to July 26, 2008.

b. Dr. Dahhan shall appear and testify before a Preliminary Evaluation Committee of the Board before the suspension of his license may be amended from active to stayed. The Board shall fix a reasonable date and time for such appearance.

c. Dr. Dahhan shall pay in full all amounts then due under paragraphs 9 of this Consent Order.

d. Dr. Dahhan shall be in full compliance with the requirements of paragraphs 4 and 5 of this Order.

4. Mohamed Z. Dahhan, M.D. shall promptly undergo a psychosexual evaluation at the Joseph J. Peters Institute in Philadelphia, Pennsylvania (the "Peters Institute"). The Attorney General and the Board will have full access to any report, recommendation or other communication from the Peters Institute with regard to Dr. Dahhan. Dr. Dahhan shall be solely and fully responsible for any costs with regard to the evaluation.

5. Mohamed Z. Dahhan, M.D. shall fully comply with whatever recommendations the Peters Institute may make, including any recommendations as to treatment, monitoring or practice restrictions.

6. A chaperone (the "Chaperone") shall be present whenever Dr. Dahhan encounters a patient, whether male or female, for any reason whatsoever. The Chaperone must remain present throughout the encounter and must remain in a position so as to have a clear line of sight to the patient.

a. The Chaperone must be a licensed health care professional who holds a valid license issued pursuant to a Chapter of Title 45 of the New Jersey Statutes.

b. The Chaperone must be approved, in advance, by the Board.

c. Dr. Dahhan shall promptly furnish to the Board the full name, home address, telephone number, type of license, and license number of the Chaperone. Dr. Dahhan shall promptly inform

the Board of any changes in any of the information he provides to the Board with regard to the Chaperone.

d. Dr. Dahhan shall be entirely responsible for any and all costs or expenses associated with the use of the Chaperone as required by the terms of this Order. The Board shall have no responsibility whatsoever for any expenses or costs arising from the use of the Chaperone. Dr. Dahhan, moreover, shall not charge any patient, third-party payor or government benefits program for the use of the Chaperone.

e. The Board may from time to time in its sole discretion consult with the Chaperone for purposes of determining Dr. Dahhan's compliance with the terms of this Order. The Board may delegate to the Attorney General or to the Medical Director the authority to so consult with the Chaperone. Dr. Dahhan hereby waives any claim of privilege or confidentiality he may have with regard to any information that the Chaperone may provide, under the provisions of this Order, to the Board, the Attorney General or the Medical Director. Dr. Dahhan shall take all reasonably necessary actions to assure the cooperation of the Chaperone with the Board, the Attorney General and the Medical Director.

f. The requirements with regard to a Chaperone under this paragraph shall remain in effect during and after the term of suspension prescribed by this Final Consent Order and until further Order of the Board.

7. Mohamed Z. Dahhan, M.D. shall pay a civil penalty of \$10,000.00.

8. Mohamed Z. Dahhan, M.D. shall pay in full the Board's costs in this matter, including but not limited to, costs of investigation, expert witness fees and costs, attorney's fees and costs and transcript costs, as allowed by N.J.S.A. 45:1-25(d), such costs being fixed at \$12,811.00.

9. Mohamed Z. Dahhan, M.D. shall pay the amounts required under paragraphs 7 and 8 of this Final Consent Order, plus interest at the judgment rate as prescribed under R. 4:42-11, in twenty-four (24) equal payments, the first such payment to be due on December 1, 2006, and each subsequent payment to be due on the first day of each succeeding month. The Board may, in its sole discretion, file a Certificate of Debt for the amount due under this paragraph, such Certificate to be cancelled upon payment in full of the amounts due under this paragraph. If Dr. Dahhan shall fail to make any timely payment required under this paragraph, the Board may, in its sole discretion, accelerate the entire amount then outstanding and demand immediate payment of such amount. The failure of the Board to so accelerate the amount due or to so demand payment shall not constitute a waiver or release of any claim, remedy or right that the Board may have under this paragraph.

10. The Interim Consent Order filed on July 15, 2004, is hereby vacated in its entirety.

11. Mohamed Z. Dahhan, M.D. shall fully comply with the Directives for Disciplined Licensees attached hereto as Exhibit A and made a part hereof.

12. This Consent Order shall be a full and final disposition of this matter. The Board shall retain jurisdiction to enforce the terms of this Order.

## STATE BOARD OF MEDICAL EXAMINERS

*Sindy M. Paul, MD, MP*  
By: \_\_\_\_\_  
Sindy M. Paul, M.D.  
President

I have read the within Order. I understand the Order and I agree to be bound by its terms and conditions. I hereby consent to the entry of this Order.

*Mohamed Dahhan*  
Mohamed Z. Dahhan, M.D.

Date: *October 28, 2006*

We hereby consent to the form and entry of this Order

DeCotiis, FitzPatrick, Cole &  
Wisler, LLP  
Attorneys for Mohamed Z. Dahhan, M.D.

By: *Susan Fruchtman*  
Susan Fruchtman

Date: *October 28, 2006*